

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

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UNITED STATES OF AMERICA	)	
ex rel. TONY HILLARD,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 08 C 1775
	)	
JOSEPH LOFTUS, Warden,	)	The Honorable
	)	Robert W. Gettleman,
Respondent.	)	Judge Presiding.

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**AGREED MOTION FOR SECOND EXTENSION OF TIME**  
**TO ANSWER OR OTHERWISE DEFEND**  
**AGAINST PETITION FOR WRIT OF HABEAS CORPUS**

Pursuant to Federal Rule of Civil Procedure 7(b)(1), respondent Warden Joseph Loftus hereby moves for a 28-day extension of time to answer or otherwise defend against petitioner's petition for writ of habeas corpus, stating as follows:

1. Respondent's answer or other response to the petition is currently due on or before June 3, 2008. This case is set for status on June 5, 2008 at 9:00 a.m. (Dkt. No. 10).

2. Despite due diligence, counsel will be unable to file respondent's answer or other response on or before June 3, 2008. Counsel received the relevant state court materials necessary to file an informed response to the instant petition and is in the process of preparing respondent's answer.

3. This motion is respondent's second request for an extension of time.

4. This motion is not intended for purposes of delay, but is being made solely to ensure that respondent's interests are adequately protected.

5. Counsel for petitioner has been consulted by respondent and agrees to this motion.

WHEREFORE, respondent respectfully requests that this Court grant his motion for a 28-day extension of time, to and including July 1, 2008 within which to answer or otherwise defend against the petition.

May 28, 2008

Respectfully submitted,

LISA MADIGAN  
Attorney General of Illinois

BY: /s/ Charles Redfern  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 28, 2008 I submitted Respondent's **Agreed Motion for Second Extension of Time to Answer or Otherwise Defend Against Petition for Writ of Habeas Corpus** and the accompanying **Notice of Motion** for electronic filing and uploading to the CM/ECF system. A copy of this document was e-mailed via the CM/ECF system to:

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